REMARKS

Applicant has amended claims 1-3, 5-12, 20, 28-29, 34, and 37 and has added new claims 49-51. No new matter has been added by way of these amendments. In view of the above amendments and the following remarks, reconsideration and withdrawal of the rejections of the claims is respectfully requested.

The Office has objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(dX1) and MPEP § 608.01(o) asserting the specification gives no details about the "medium" or "media. The Office's strict literal interpretations are not supported by MPEP § 608.01(o) nor properly gives any level of skill to one of ordinary skill in the art. MPEP § 608.01(o) cited by the Office clearly notes an applicant is not limited to the nomenclature used in the application as the Office is improperly attempting to do. Additionally, the Office's attention is respectfully directed to MPEP 2106 which states, "USPTO personnel must always remember to use the perspective of one of ordinary skill in the art. Claims and disclosures are not to be evaluated in a vacuum. If elements of an invention are well known in the art, the applicant does not have to provide a disclosure that describes those elements." Computer readable medium or media is an extremely well known term to one of ordinary skill in the and such medium or media are clearly disclosed in the above-identified patent application, by way of example, at page 16, line 15 and page 17, line 12:

> As shown in FIG. 5, the selective editing device can be implemented either on a single program general purpose computer, or a separate program general purpose computer. However, the selective editing device can also be implemented on a special purpose computer, a programmed microprocessor or microcontroller and peripheral integrated circuit element, an ASIC or other integrated circuit, a digital signal processor, a hardwired electronic or logic circuit such as a discrete element circuit, a programmable logic device such as a PLD, PLA, FPGA, PAL, or the like. In general, any device capable of implementing a finite state machine that in turn is capable of implementing the flowcharts illustrated in FIGS. 13-14 can be used to implement the selective editing device according to this invention.
> Furthermore, the disclosed method may be readily implemented in software using object or object-oriented software development environments that provide portable source code that can be used on a variety of computer or workstation hardware platforms. Alternatively, the disclosed selective editing device may be implemented partially or fully in hardware using standard logic circuits or VLSI design. Whether software or hardware is used to implement the systems in accordance with this invention is

dependent on the speed and/or efficiency requirements of the system, the particular function, and the particular software or hardware systems or microprocessor or micro computer systems being utilized. The selective editing systems and methods illustrated herein however, can be readily implemented in hardware and/or software using any known or later-developed systems or structures, devices and/or software by those of ordinary skill in the applicable art from the functional description provided herein and with a general basic knowledge of the computer arts.

Moreover, the disclosed methods may be readily implemented as software executed on a programmed general purpose computer, a special purpose computer, a microprocessor, or the like. In these instances, the methods and systems of this invention can be implemented as a program embedded on a personal computer such as a Java® or CGI script, servlet, as a resource residing on a server or graphics workstation, as a routine embedded in a dedicated selective editing device, a web browser, an electronic message enabled cellular telephone, a PDA, a web server, or the like. The selective editing device can also be implemented by physically incorporating the system method into a software and/or hardware system, such as the hardware and software systems of a graphics workstation or dedicated web page editing/authoring system.

Accordingly, in view of the foregoing remarks, the Office is respectfully requested to reconsider and withdraw this objection to the specification.

The Office has rejected claims 1-3, 5-11, 28-29, 34, and 37 under 35 U.S.C. §101 allegedly because the claimed invention is directed to non-statutory subject matter because the specification does not specifically describe the word "apparatus," but it talks about "editing device" and "editing system." The Office asserts one of ordinary skill in the art would not have considered "editing device" and/or "editing system" as the recited "editing apparatus." Additionally, the Office asserts the specification expressly states (citing page 16, lines 31-33) that the "selective editing systems illustrated herein however, can be readily implemented in hardware and/or software," and notes that none of claims 1-3, 5-11, 28-29, 34 and 37 expressly recite a computer hardware component. Thus, the Office asserts, the "editing device" (i.e., the "editing apparatus" of claim 1) may be properly interpreted as computer software per se and accordingly, the invention recited in claims 1-3, 5-11, 28-29, 34 and 37 is not a "process," a "machine," a "manufacture" or a "composition of matter," as defined in 35 U.S.C. §101.

Applicant again respectfully disagrees with the Office disagrees that one of ordinary skill in the art would not have considered an "editing device" the same as an "editing apparatus." The Office's strict literal interpretations are not supported by the MPEP

as noted above nor properly give any level of skill to one of ordinary skill in the art. Nevertheless, Applicant has amended the preamble of claims 1-3, 5-11, 28-29, 34 and 37 to recite "system" as set forth in the original claims as opposed to "apparatus" and has amended claim 1 to recite an editing hardware device to make clear this is a statutory hardware, not software. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw this rejection.

The Office has rejected claims 1, 12, and 20 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. The Office asserts claims 1, 12 and 20 contain the limitation "a content item editing merging device adapted to perform a check in an actively live web page to whether a content item modified by an author is comparable to the template information edited by a user during the content item modification, merges one or more parts of the modified content item in comparison with the edited template information based on the check performed, and merges the compared content item with the edited template information back into the electronic document", which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Additionally, the Office has rejected claims 1, 12, and 20 are rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. More particularly, the Office asserts the omitted steps are: after comparing a content item modified by an author and the template information edited by a user, what will happen if the content item modified by an author is similar and/or different from the template information edited by the user.

Applicant has cancelled the limitation "a content item edit merging device adapted to perform a check in an actively live web page as to whether a content item modified by an author is comparable to the template information edited by a user during the content item modification, merges one or more parts of the modified content item in comparison with the edited template information based on the check performed, and merges the compared content item with the edited template information back into the electronic document" from claim 1, and the limitations "performing a check in an actively live web page whether a content item modified by an author is comparable to the template information edited by the user during the content item modification; merging one or more parts of the modified content item in comparison with the edited template information based on the check

performed; merging the compared content item with the edited template information back into the electronic document," from claims 12 and 20. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw this rejection.

The Office has rejected claims 1-3, 5-13, 15-16, 18-21, 23-34, 37-38, 41-42, and 45 under 35 U.S.C. §103(a) being unpatentable over publication, "In-Place Editing of Web Pages: Sparrow Community-Shared Documents," by Bay-Wei Chang (Chang), in view of U.S. Patent No. 6,745,238 to Giljum et al. (Giljum), and further in view of US Patent No. 6,654,032 to Zhu et al. (Zhu). The Office asserts Chang discloses the claimed group-editable web page editing system, in the form of in-place editing of Sparrow community-shared web page documents (citing Chang's Title, page 1), an element selection device that selects a portion of an electronic document, wherein the selected portion includes information stored within the electronic document, in the form of clicking on a black triangle (citing page 3, lines 2-3 and Figure 2), asserting the information selected in Chang is content information, the electronic document is an HTML document with template, formatting, and content information (citing page 5, lines 16-19, page 11, line 5, pages 11-12, section 4.1, and pages 13-14, section 4.5). The Office asserts Chang also discloses the formatting information comprises codes which are distinct from editable content items asserting page 14 shows standard "<B>" and "</B>" HTML bold formatting information stored within the electronic document and distinct content information "Abe L." stored within the document, and the formatting information is editable by an authorized user (citing page 11, line 2). The Office asserts Chang describes the claimed an updating device that replaces the selected portion with the edited portion, in the form of supplanting the original (citing page 4, lines 3-5), and discloses the desirability of editing template or format information (citing page 11, line 2). The Office asserts to support the teaching of Chang, Giljum discloses that it is desirable to edit the template or "style" and edit the formatting or "fonts" of web pages (citing col. 8, lines 3-5 and col. 8, lines 52-54). Thus, the Office asserts, both Chang and Giljum provide sufficient suggestion to a person of ordinary skill in the art at the time the invention was made to modify Chang's system to include group editing of template or formatting information in addition to Chang's group editing of content information. The Office asserts Chang discloses that the contributor (user) makes changes to the item (element), and when he is done making changes to the item, and clicks the "OK" button, Sparrow makes the change to the web page and redirects the user's browser back to the original URL, which now shows

the newly altered page (citing page 5, lines 1-4). The Office asserts Chang further discloses checking if the sequence numbers of the edited version (by user) of the item and of the version of the item stored in the files system (by an author) differ, then an edit to the item has occurred while the user was himself editing the item (citing page 14, section 4.6) and Sparrow providing editing of specific parts of web pages (by contributor or user), not entire web page, and the web page author creates the entire page, and adds Sparrow capability to the parts he or she wishes to have people contribute to, and the items in the Sparrow-enabled parts can be edited and added to, forming growing lists of items (page 5, third paragraph). The Office asserts Chang further describes an edit merging device that merges first modified content information back to into the electronic document even if second content information was altered while the first information was modified (citing page 7, lines 16-19, page 14, section 4.6) and thus these imply the updated web page is merged with the "live" version of the web page. The Office asserts to support the implication of Chang, Zhu teaches a conferencing server distributes the shared screen (electronic document) to a plurality of remote clients, each of the remote clients having a viewer application to display the share screen, and the shared screen being simultaneously displayed during the live data conference (citing col. 11, lines 11-18). The Office asserts Zhu further describes receiving user input form one of the remote clients and drive the application to edit the application screen based on the user input to produce an application screen update which is used to create a shared screen update (citing col. 11, lines 19-29). The Office asserts Zhu further describes sending the shared screen update to the conferencing sever, and the conferencing server distributes the shared screen update to the remote clients, and the shared screen update being simultaneously displayed during the live data conference (citing col. 11, lines 30-38). The Office assets both Chang and Zhu provide sufficient suggestion to a person of ordinary skill in the art at the time the invention was made to modify Chang's system to include merging the update information edited from the user input to create shared screen update being simultaneously displayed during the live data conference in addition to Chang's merging the modify content information back into the electronic document. The Office asserts that Chang discloses merging first modified content information back into the electronic document even if second content information was altered while the first information was modified (citing page 7, lines 16-19; and page 14, section 4.6), that is, "pages are not locked during [group] editing" and edits must be resolved by the user only if "an edit to the [same] item has occurred" (citing Chang, page 14). Thus, the Office asserts, Chang provides sufficient suggestion to those

skilled in the art to modify the Chang system to permit merging of modified first information back into the electronic document even if second information was altered while the first information was modified, so long as the first and second information are not the same information.

Chang, Giljum and Zhu, taken alone or in combination, do not disclose or suggest "a template edit merging device that merges a modified item template back into the electronic document even if the user edits the content of one or more items managed by the item template in the actively live web page, while the item template is simultaneously being modified or updated by an author of the electronic document," as recited by claim 1, or "merging a modified item template back into the electronic document even if the user edits the content of one or more items managed by the item template in an actively live web page, while the item template is simultaneously being modified or updated by an author an electronic document," as recited by claims 12 and 20.

As noted above, the Office has asserted that Chang discloses merging first content information back into the electronic document even if the second content information was altered while the first information was modified, and cites to page 7, lines 16-19 and page 14, section 4.6 of Chang. Applicant respectfully disagrees with the Office's assertion. In applying the cited portions of Chang to reject the claims, the Office has failed to differentiate between Chang's editing first and second <u>content</u> information and Applicant's claimed editing <u>content and item template</u> simultaneously by a user and an author, respectively. On page 7, lines 16-19, asserted by the Office, Chang discloses (emphasis added) "the user is only asked to intervene on rare occasions <u>when an **item** has been simultaneously edited</u>." Similarly, on page 14, in section 4.6, Chang discloses (emphasis added) "one user may change an **item** <u>on a page</u> without affecting other users who are editing other **items** <u>on the same page</u>." Further, Chang discloses (emphasis added) "[b]ecause editing with Sparrow occurs at such a fine grain (<u>per item</u>) and the time to edit <u>each item</u> is typically short (because items are small), such conflicts are rare." Thus, it is clear that Chang at most discloses or suggests editing of items only, simultaneously or otherwise.

Contrary to the Office's assertions, editing of one or more items as disclosed by Chang is <u>not</u> Applicant's claimed "a template edit merging device that merges a modified item template back into the electronic document <u>even if the user edits the **content of one or**</u>

more items managed by the item template in the actively live web page, **while the item template is simultaneously being modified or updated** by an author of the electronic document," as recited by claim 1 (emphasis added), or "merging a modified item template back into the electronic document even if the user edits the **content of one or more items** managed by the item template in an actively live web page, **while the item template is simultaneously being modified or updated** by an author of the electronic document," as recited by claims 12 and 20 (emphasis added). That is, Applicant's claimed invention allows a user to edit the content of an item at the same time when an author of the electronic document is editing the item template, separate from the content of the item itself. By way of example only, the Office's attention is respectfully requested to paragraph [0054] of the published application where it is disclosed (emphasis added):

> [0054] In an exemplary embodiment, the selective editing system 100 uses a CGI script to implement the above methods. This CGI script uses the same file locking and waiting strategy for both kinds of editing. Thus, it is possible for the page author to **modify an item template at the same time** that the contributor is **adding or editing items to a page**. Thus, web pages that use the template editing technique described in accordance with the exemplary systems and methods of this invention can remain "live" to contributors, **even while item templates or the overall HTML is being modified or updated**.

Further, in paragraph [0006], for example, Applicant discloses templates separate from items themselves (emphasis added):

> [0006] In the Sparrow system, a traditional HTML page can be made into a group-editable web page by adding several additional strings of HTML syntax, chiefly a set of templates and a set of data contributions or items. The templates describe what information contributions the page may contain, i.e., the number and kinds of data fields, and how those contributions will be formatted. An item is a single contribution, formatted according to the rules in one of the templates. Contributors add new contributions, or edit previous contributions, by filling in forms where these forms require no previous knowledge of HTML. With Sparrow, the page author can change the layout of such a page, or the format of its items, by reading the page into a text editor or HTML authoring tool and making edits to the overall page.

An exemplary advantage of the Applicant's claimed invention is that a page author who wishes to modify the layout of a group-editable web page with the formatting of its contributions does not need to take the web page off-line, read the entire page into a text editor or HTML authoring tool and then use the editor or tool to change the overall page, the

template, the data items, or some combination of these items. Instead, by performing edits to item templates while the content of the items themselves are being edited by the user(s), web pages can be updated considerably faster than conventional web page editing techniques.

Chang simply fails to disclose or suggest Applicant's claimed editing content of an item by a user and editing the item template by an author of the webpage simultaneously. Like Chang, Giljum and Zhu do not disclose or suggest Applicant's editing content of one or more items and item templates simultaneously, and thus fail to resolve this deficiency in Chang. Therefore, Chang, Giljum and Zhu fail to render claims 1, 12, and 20 unpatentable.

Accordingly, in view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw this rejection of claims 1, 12, and 20. Since claims 2, 3, 5-11, 28, 29, 34, and 37 depend from and contain the limitations of claim 1, claims 13, 15, 16, 18, 19, 30, 31, 38, and 41 depend from and contain the limitations of claim 12, and claims 21, 23-27, 32, 33, 42, and 45 depend from and contain the limitations of claim 20, they are distinguishable over the cited references and patentable in the same manner as claims 1, 12, and 20.

Additionally, new dependent claims 49-51 are believed to be distinguishable over the cited references of record and in condition for allowance. A notice to this effect is respectfully requested.

In view of all of the foregoing, Applicant submits that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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